

REMARKS

Claims 36-72 are now present in this application.

Claims 68-72 have been presented. Reconsideration of the application, as amended, is respectfully requested.

It is noted that the December 27, 2001 Amendment has now been entered by the filing of this Continuation application. The remarks of that Amendment are hereby incorporated by reference and the specific points from the September 27, 2001 Final Office Action should not need repeating.

However, it is noted that the January 14, 2002 Examiner Interview Summary indicates that the December 27, 2001 Amendment raised "new matter." Applicants respectfully disagree with this position.

In particular, the Examiner has alleged that this "wherein the step of pressing is performed when said first layer of non-metallic is in its dimensionally stable state" in claim 36 is alleged to contain new matter. Also, "which has been replicated by a method according to claim 36" in claim 54 is alleged to be new matter. The Examiner has also noted that claims 66 and 67 have been added without canceling a corresponding number of finally rejected claims. This point should now be moot by the filing of the Continuation application.

In the changes to claims 36 and 54, the word "bearing" has been changed to --holding--. Basis for the word "holding" is found

in the published PCT application and in the instant specification on page 1, lines 5-6, for example ("... in a non-metallic layer being held by a metal substrate") and page 3, lines 7-9 ("The first layer may in principle be held by any kind of substrate. Preferably..."), and page 10, lines 12-13 ("The substrate 1 holding the non-metallic layer 2...").

Claim 36 has also been amended such that it recites the step of processing as performed when said first layer is in its dimensionally stable state. By dimensionally stable state, it is meant that the material of the first layer maintains its form and shape. The fact that the first layer is dimensionally stable at the step of pressing is directly derivable from the specification.

The amendments to the claims 36 and 54 are supported, for example, on page 5, lines 10-12 wherein "the replicated surface relief is essentially permanent over time. By essentially permanent, is meant that the replicated surface relief is stable over a period of at least 12 months." For example, the replicated relief maintains its form and shape over time. Accordingly, the first layer would be dimensionally stable before, during and after the step processing.

Furthermore, Fig. 8 shows a rolling process where the replicating tool 8 continuously replicates surface relief in the non-metallic layer 2. The process can obviously not be performed if the non-metallic layer is not in its dimensionally stable state,

and therefore Fig. 8 also forms a basis for the amendments to claims 36 and 54. It is respectfully submitted that there is support for the claimed subject matter and, as such, any objection or rejection for "new matter" would be inappropriate. Favorable consideration of the December 27, 2001 Amendment and the instant Amendment are respectfully requested.

Because the January 14, 2002 Advisory Action indicated that the prior Amendment raised "new issues," it would be inappropriate for the Examiner to make the first Office Action in the instant Continuation application a final rejection. Nonetheless, such a rejection is not expected, since the instant application should now be in condition for allowance. Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (702) 205-8000 in the Washington, D.C. area.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version with Markings to Show Changes Made

(Rev. 09/26/01)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 68-72 have been added.